

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

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ONTARIO	:	
LOGAN-PATTERSON,	:	
Plaintiff,	:	Civil Action No.
v.	:	3:24-cv-526
TRAVIS SCOTT WYATT,	:	
Defendant.	:	

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Deposition of MIKEL HANA
Conducted Virtually
Wednesday, April 30, 2025
3:16 p.m. EST

Pages: 1 - 51

Reported By: Megan Kurwitz

1 **Deposition of MIKEL HANA, conducted virtually.**

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11 **Pursuant to agreement before Megan**

12 **Kurwitz, a notary public, in and for the**

13 **Commonwealth of Virginia.**

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A P P E A R A N C E S

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I N D E X**PAGE****EXAMINATION OF MIKEL HANA BY:****MR. KRUDYS****5****MR. HAMMER****44****FURTHER EXAMINATION BY:****MR. KRUDYS****45****E X H I B I T S****(Retained by Counsel)****PREVIOUSLY MARKED EXHIBITS****PAGE****Exhibit 13 Mikel Hana Statement****8****Exhibit 28 LEAMS Report****16****Exhibit 33K Photographs****41**

1 P R O C E E D I N G S

2 THE REPORTER: Do you solemnly swear or
3 affirm under the penalties of perjury that the
4 testimony you shall give will be the truth, the
5 whole truth, and nothing but the truth?

6 THE WITNESS: I do.

7 EXAMINATION

8 BY MR. KRUDYS:

9 Q Could you state your full name, please.

10 A Mikel Hana.

11 Q All right. And how do you spell Hana?

12 A H-A-N-A.

13 Q And do you have a middle name?

14 A N, Nasef.

15 Q Okay.

16 MR. KRUDYS: And same question for counsel
17 as before, that if we were to subpoena Special
18 Agent Hana for the trial, you would accept service
19 of his subpoena?

20 MR. HAMMER: Yes, we would. Thank you.

21 MR. KRUDYS: Okay. All right.

22 Q Special Agent, have you ever had your
23 deposition taken before?

24 A I have not.

25 Q All right. But you have testified in

1 court before?

2 A I have.

3 Q All right. This is the same process. We
4 don't have a judge present here, but the same
5 rules of truthfulness apply.

6 Do you understand that?

7 A Yes.

8 Q Okay. In connection with your deposition,
9 did you do any type of preparation, look at any
10 documents prior to today's deposition?

11 A I did. I reviewed my memo, the statement
12 that I wrote to IA when we interview with Internal
13 Affairs.

14 Q All right. Was that a typical thing to
15 have an interview by Internal Affairs?

16 MR. HAMMER: Objection to form.

17 Q You seem --

18 A I don't understand.

19 Q -- surprised by the question. You
20 prepared a report for Internal Affairs at their
21 request, correct?

22 A Yes.

23 Q Had you ever done that before?

24 A Only for use of force.

25 Q And why did you understand that you were

1 being asked to prepare, I'll call it, an incident
2 report in connection with the circumstances of
3 December 11, 2023?

4 A I received an e-mail, I believe, from my
5 supervisor saying that I need to go interview with
6 Internal Affairs. They asked me about the details
7 of what happened, and then I'm certain after I
8 left, they said, "Whatever we talked about, can
9 you have in writing and send it to us." I believe
10 that's how it went down, not beforehand.

11 Q All right. And when you prepared it in
12 writing and sent it to them, did they make any
13 modifications or make any suggested modifications?

14 A I have not heard back from IA since.

15 Q In other words, once you sent in your
16 report, that was the end of it with regard to
17 them?

18 A Yes.

19 Q All right. And I will bring up --
20 actually, let me share the screen first. You're
21 able to see this document?

22 A I am, yes.

23 Q I can make it a tad larger if you need
24 that. Okay. There we go.

25 Is this the report that you prepared?

1 (Whereupon, Exhibit 13, previously marked,
2 was proffered to the witness.)

3 A That looks like it, yes.

4 Q And why was IA involved in connection with
5 this matter? What was your understanding?

6 MR. HAMMER: Objection to form.

7 A I don't know why IA was involved. Usually
8 after a pursuit, they don't -- we don't interview
9 with IA after every pursuit. So I don't know.

10 Q All right. This purports to be prepared
11 on January 19th. It talks about circumstances on
12 December 11th. Do you know when you met with IA,
13 approximately?

14 A I don't recall the exact time I did.

15 Q Well, how about in relation to your
16 report? How many days or weeks before your
17 report, the completion of your report, did you
18 meet with IA?

19 A I want to say I wrote it either the same
20 shift or the shift after. It would have been the
21 same week that I sent the letter in.

22 Q Okay. What did you utilize in order to
23 prepare Exhibit 13, your report here? In other
24 words, did you use notes? Did you use an NCIC
25 report? What did you use in order to prepare

1 this, or did you just use memory?

2 A Whatever was in my mind then, that was
3 still fresh in my head, and I believe I also
4 looked up the incident history to see the exact
5 timing and location of when I responded, when I
6 marked on scene just to be exact for the memo to
7 be written.

8 Q All right. When you referred to the
9 incident history, is there a particular type of
10 report that you would look at to see that?

11 A No. It would be the DIV, and then the
12 number of the incident, and then that's on our CAD
13 database. It shows the time of the dispatch, who
14 responded, what time you marked on scene, and
15 stuff like that.

16 Q All right. The IA officer, do you recall
17 who that was?

18 A There were two sergeants: Sergeant Jamell
19 Johnson and, I want to say, Sergeant Putnam.

20 Q For the reporter, Jamell is spelled
21 J-A-M-E-L-L.

22 A I believe so.

23 Q And did you understand that
24 Logan-Patterson's mother, Lakita Patterson, had
25 made a complaint about Trooper Wyatt's actions

1 that evening?

2 A I'm not sure if I knew that day, but being
3 called into IA raised some concerns on why we
4 would go to IA after such a pursuit.

5 Q And did they explain to you -- did IA
6 explain to you that that's what occurred, that a
7 woman by the name of Lakita Patterson made a
8 complaint about the actions of Trooper Wyatt and
9 that's why IA was involved?

10 A I can't be certain that they told me
11 exactly why I was there except to be questioned
12 about the incident.

13 Q All right. But does that name ring a
14 bell, Lakita Patterson?

15 A Not -- looking at the memo, it does, but I
16 don't remember being told that name.

17 Q All right. I was going to go through this
18 document in detail, but let me first ask you to
19 recall the events of that evening, what you
20 specifically recall occurring from the moment you
21 hear over the radio that there's a pursuit going
22 on.

23 A So I was in the far east end by Airport
24 Drive around the 198 mile marker, heard the
25 pursuit coming from Area 6 from Trooper Wyatt -- I

1 don't recall his badge number -- Trooper Wyatt
2 from Area 6. That's Chesterfield/Amelia/Powhatan
3 area -- coming north towards my area, Richmond
4 City/Henrico. I started making my way there. It
5 was -- I believe it was rush hour traffic, around
6 1700. And by the time I made my way there --
7 there was no shoulders on the Shockoe Valley
8 Bridge -- took me a little bit -- about 15,
9 20 minutes to get there. Midway there, I heard
10 over the radio that either Richmond or multiple
11 units from state police had been on scene with
12 them. So I slowed my response, still headed down
13 there. I went to the last location heard, which
14 was Everett Street, and didn't see anybody there,
15 didn't see any blue lights, drove around, saw blue
16 lights around Commerce and Maury, and that's where
17 I had -- I headed that way. I went to the back --
18 to the front of the -- where I saw the troopers'
19 lights were. That was -- I believe that would be
20 9th Street, saw K-9, with Trooper Layton there,
21 parked my vehicle out front, he had his dog. So I
22 assume we're going to do a dog track, didn't know
23 if any contact was made yet, unholster my gun,
24 point it down as if we're going on a track. We
25 stayed there for a little bit, and then after

1 that, I saw at a distance two troopers walking a
2 gentleman out. I don't recall 100 percent, but I
3 remember that the person was shirtless at the time
4 and then walked back towards the crash scene,
5 which was on Commerce and Maury.

6 Q What happened then?

7 A Then -- so, yeah. By the crash scene,
8 from there, I think they -- I don't know which
9 troopers exactly brought the person of interest
10 there that they were pursuing. Trooper Wyatt was
11 newer, a newer trooper, compared to myself and
12 Trooper Layton. So we were advising him that we
13 can do a consent swab, buccal swab, and midway
14 through that, there's a gentleman there. Well,
15 first, there was about three ladies there and a
16 gentleman I believed to be the family of the
17 person because at some point, they were saying
18 it's not -- it's not their son or "You've got the
19 wrong person." But midway through, the gentleman
20 stops Trooper Wyatt from doing the buccal swab and
21 said, "We're done here." Then I went to -- told
22 Trooper Wyatt, tapped him on the shoulder and
23 said, "Hey" -- just to give him advice on the job
24 because I've done it for a little bit longer.
25 It's -- like Trooper Layton said, it's consensual.

1 We have the gun. We have the hoodie. And he
2 could send it to the lab and get a match later.
3 Actually, a little bit before that, we took my car
4 before the -- I believe before the swab, we took
5 my vehicle back towards that alleyway and put my
6 Taurus in front of the dumpster. And Wyatt and
7 Layton got on my hood to check if anything was
8 tossed in the dumpster. And then Trooper Layton
9 bent down and looked under the dumpster and
10 located a firearm in the corner of the dumpster
11 underneath it, which then he handed to Wyatt to
12 secure, and we went back to the scene.

13 Q What happened at the scene?

14 A That was pretty much all my involvement
15 besides -- oh, actually trying to identify the
16 three -- he had three people in the vehicle that
17 was being pursued, tried to separate them and see
18 if they can identify who was driving. And
19 collectively when we gathered -- not sure who
20 talked to who. I'm not sure which specific
21 passenger I talked to, either. They said they
22 knew the driver by nickname from a car club. They
23 really didn't know him well. They couldn't give
24 us a name. And at first, the family was irate --
25 or the people that were on scene that I suspected

1 to be family were irate until a few minutes later,
2 everybody calmed down. One of the females was
3 being very flirty and laughing with us, especially
4 with Trooper Morris, who's no longer with the
5 department. I believe his first name is Chase --
6 Chase Morris. And then I -- I left the scene -- I
7 didn't leave the scene, actually. I stayed until
8 the sergeant worked the crash or provided the
9 traffic control, and then everybody went on their
10 way after that.

11 Q Why is Trooper Morris no longer with the
12 department? Do you know?

13 A I don't --

14 MR. HAMMER: Objection to form.

15 Sorry. You can answer, Trooper Hana.

16 A I think he went and got a job in private
17 sector.

18 Q Was he under investigation prior to doing
19 that?

20 MR. HAMMER: Objection.

21 A I wouldn't know.

22 Q So the report that you prepared that is
23 Exhibit 13, it's a two-page report,
24 single-spaced -- was your memory of events better
25 at the time that you created the report or is it

1 better sitting here today?

2 A Probably at the time of the report. It
3 was near the incident date.

4 Q Okay. All right.

5 Would you -- how long did it take for you
6 to actually prepare the report?

7 A I don't recall the exact time it took me.

8 Q Like an hour? Something like that? An
9 hour or two?

10 A That sounds about right.

11 Q All right. Did you -- in connection with
12 your interview of the passengers in the car, what
13 are the names of the passengers that were in the
14 car?

15 A I don't know their names.

16 Q Did you ever write it down at some point?

17 A I believe I did not, and we have the LEAMS
18 -- the LEAMS report, which if they were
19 identified, they would be put as either victims,
20 witnesses or involved in the LEAMS report by the
21 agent or the officer in charge.

22 Q Who was the officer in charge?

23 A Trooper Wyatt.

24 Q Well, what do you understand to be -- what
25 that means with regard to his duties and

1 responsibilities being the officer in charge?

2 A Can you repeat that? I don't understand
3 what you mean.

4 Q Yeah. What did you understand -- you
5 stated Wyatt was the officer in charge. And so my
6 question to you was: What was your understanding
7 at the time as to his duties and responsibilities
8 in connection with this investigation as the
9 officer in charge?

10 A So, typically, whoever is initiating
11 whatever investigation or traffic stop, that
12 person gets help from whoever as units working
13 together, partners, but then that person prepares
14 the report, uploads it into our LEAMS database,
15 inputs all the information for the supervisors to
16 review. So that would be the person that
17 initiated the traffic stop.

18 Q All right. So I'm going to share with you
19 and pull up Exhibit Number 28. So is this the
20 LEAMS report that you're referring to?

21 (Whereupon, Exhibit 28, previously marked,
22 was proffered to the witness.)

23 MR. HAMMER: Can you make it a little
24 larger?

25 Q Is that the LEAMS --

1 A That's the outline of it, yes.

2 Q Okay. It goes on for a number of pages.

3 So did you have any part in the
4 investigation yourself?

5 A Besides being on scene, I don't believe I
6 was on -- added to the LEAMS.

7 Q Okay. So do you know of any person that
8 was involved in the investigation other than
9 Trooper Wyatt?

10 A In terms of being on the LEAMS?

11 Q Well, no, having any type of investigative
12 action. Can you identify -- you took no further
13 action. Do you know of anybody other than Wyatt
14 that took further action with regard to this
15 matter?

16 A No, I don't.

17 MR. HAMMER: Objection to the form.

18 Q I'm sorry?

19 A I said, "I don't."

20 Q All right. Do you know -- can you recall
21 what the description of the driver that was
22 provided over the radio was?

23 A I don't recall that.

24 Q Did anybody actually see the driver?

25 MR. HAMMER: Objection to the form.

1 A Anybody as in us on scene or -- I don't
2 understand.

3 Q Yeah. Were there any witnesses that came
4 forward as to who the driver was --

5 MR. HAMMER: Objection to form.

6 Q -- and identified the driver?

7 A Not that I'm aware of. Nobody told me
8 personally.

9 Q How about the passengers? Did they
10 identify any person as being the driver?

11 MR. VAUGHAN: Objection to the form.

12 A Yes. They said the -- so obviously
13 somebody was driving the vehicle. They couldn't
14 give us a name. They said they met at a car club.
15 They knew him by a nickname, and that's all they
16 can give us.

17 Q What was the nickname?

18 A I don't recall that.

19 Q All right. Well, an individual was
20 brought back to the car by Trooper Wyatt. What
21 did the passengers say with regard to that
22 individual, whether or not he was the driver?

23 MR. HAMMER: Objection to the form.

24 A I didn't question them, and I didn't hear
25 anybody else asking them that. I'm not sure

1 what --

2 Q Why not? That seems like a rather obvious
3 thing to ask the passengers of the car if the
4 person being taken into custody was the driver,
5 doesn't it?

6 A Correct. I personally did not ask them
7 that.

8 Q Did anybody else?

9 MR. HAMMER: Objection to the form.

10 A I don't know.

11 Q All right. Well, you identified yourself
12 as the more senior person in addition to Layton.
13 Is there any other person that was senior there
14 besides yourself and Layton?

15 A The other -- I believe it was only the
16 three or four of us: Morris -- both Morrisses,
17 both troopers, and then Wyatt. So, no.

18 Q All right. Well, with regard to the three
19 individuals in the car, what was their
20 relationship with each other? How did they know
21 each other?

22 MR. HAMMER: Objection to the form.

23 A I don't know.

24 Q Did they go to school together? Did they
25 work together? Did they live in the same

1 neighborhood?

2 A I don't know. I didn't ask them any of
3 those questions.

4 Q Why not?

5 A I don't know.

6 Q Did you ask them where they got in the
7 car, at what place they got into the car?

8 A I believe those questions have been asked,
9 just not by me, and if they were answered, I don't
10 remember what their responses were.

11 Q Okay. If it's not by you, who was it,
12 then, that asked these questions, like where they
13 got in the car, how they knew each other?

14 A Multiple people talked to them. Multiple
15 of the troopers on scene talked. I can't --

16 Q Okay. I just took the deposition of
17 Morris. He didn't ask him any of these questions.
18 You didn't. Do you know -- can you identify
19 anybody that did?

20 MR. HAMMER: Objection to the form.

21 A I believe we were in a small vicinity.
22 I'm not sure who talked to who. I talked to
23 somebody from those three. I just don't know
24 which one and what they said except that what I
25 stated, that they knew him from a car club.

1 Q Which car club?

2 A I don't know.

3 Q Did you ask them which car club?

4 A If I did, I don't recall what they said.

5 Q Are there more than one car club in the
6 area?

7 MR. HAMMER: Objection to form.

8 A I don't -- I don't know. I know of some
9 that are in Richmond, like RVA, Cobras (phonetic),
10 and others online, but I'm not sure if that's
11 specific to a city or what.

12 Q If you knew there were more than one car
13 club in the area, why did you not ask which one?

14 A I don't recall if I did. And if I did, I
15 don't know what they told me.

16 Q All right. Well, you don't have it in
17 your report, anything about the name of the car
18 club. If you had asked that information, wouldn't
19 you have included that in your report?

20 A I probably would have.

21 Q Okay. And you put in your report that
22 they had recently just met the person and knew him
23 by a nickname because they were in the car club
24 together. So where did they just meet him?

25 MR. HAMMER: Objection to form.

1 A I don't recall where they met him or if
2 they told me where they met.

3 Q Did they have any type of phones on them?

4 MR. HAMMER: Objection to form.

5 A I don't recall that.

6 Q Did you ask them that question?

7 A I don't think I did.

8 Q Would the phones have -- to your
9 understanding, would the phones have showed where
10 they were earlier that day?

11 MR. HAMMER: Objection to form.

12 A I don't -- possibly if they texted each
13 other. I don't know.

14 Q Did you understand at the time that phones
15 have location data that would show where they were
16 earlier that day?

17 MR. HAMMER: Objection to form.

18 A I do know that.

19 Q Okay. But these passengers were in the
20 car for a high-speed chase that took place for
21 over nine minutes and ended in a crash, correct?

22 A I know it ended in a crash. I don't know
23 how long it was.

24 Q All right. Well, you heard over the radio
25 that Trooper Wyatt reported speeds in excess of

1 100 miles an hour, correct?

2 A I don't recall that.

3 Q All right. Was there any reason for this
4 chase other than speeding?

5 MR. HAMMER: Objection to form.

6 A I don't know what the reason for the
7 pursuit was. If it was aired over the air, I
8 don't recall what it was.

9 Q Did any of the passengers call 911 when
10 they were involved in a car chase --

11 MR. HAMMER: Objection.

12 Q -- as passengers in the back of a car that
13 was fleeing police for nine minutes?

14 MR. HAMMER: Objection to form.

15 A Are you asking if they called, those
16 three --

17 Q Yes.

18 A -- individuals called?

19 I wouldn't know that.

20 Q So you guys just released those three
21 individuals that evening; is that correct?

22 A Yes. They were released.

23 Q Did you ever put them in handcuffs at any
24 point?

25 A I don't recall if they were handcuffed or

1 not.

2 Q One of them had a handgun, correct?

3 A I do remember one having a handgun, yes.

4 Q Which one?

5 A I don't recall that.

6 Q If you saw a picture of them, could you
7 identify them by picture?

8 A No, sir.

9 Q And so the Virginia State Police just gave
10 back the handgun to this unidentified
11 individual --

12 MR. HAMMER: Objection to form.

13 Q -- is that right?

14 A I didn't hand them the gun personally.
15 Typically the gun would be ran to make sure if
16 it's stolen or not, if it's clear or not, if the
17 person is allowed to have the gun or not, then
18 they would be handed their gun back. I didn't do
19 that personally.

20 Q All right. So who's the person whose name
21 was run? Are you able to identify that person?

22 A I don't -- I don't know who that person
23 was.

24 Q All right. Were any latent fingerprints
25 taken at the scene?

1 A I don't believe so.

2 Q Why not?

3 A Not by me at least. I'm not sure if
4 anybody else did.

5 Q Okay. And the person that was running the
6 investigation was Wyatt, correct?

7 A Yeah.

8 Q He would have the responsibility of doing
9 that, correct?

10 A Correct.

11 Q All right. Was the driver of the car
12 wearing a ski mask?

13 MR. HAMMER: Objection to form.

14 A Of the car that was in the pursuit?

15 Q Yes. The driver fleeing Wyatt, was he
16 wearing a ski mask?

17 MR. HAMMER: Same objection.

18 A When I got on scene, I didn't see the foot
19 pursuit. I didn't see any of that action taking
20 place. So I don't know what he was --

21 Q Well --

22 A -- wearing.

23 Q All right. I'll represent to you over the
24 radio it was "Black male, Army pants, ski mask on,
25 white shirt." Did the person ever take their ski

1 mask off --

2 MR. HAMMER: Object to the form.

3 Q -- to your knowledge?

4 A When I saw him at the car, I don't
5 remember seeing a ski mask.

6 Q That's not my question to you. Did any
7 person -- did Wyatt say or any of the passengers
8 say that the driver of the vehicle had the ski
9 mask on or ski mask off?

10 A I don't recall being told any of that.

11 Q So are you learning for the first time
12 right now that the description of the driver was
13 ski mask on?

14 MR. HAMMER: Objection to form.

15 A I don't recall hearing that over the air.
16 If I did, I don't remember it. I was in the
17 process of driving there from the far east end.
18 So I was focusing mostly on driving until I got on
19 scene. And if I was told on scene what the
20 description was, I probably would have remembered
21 it then.

22 Q Well, did anybody identify Ontario
23 Logan-Patterson, my client, as the fleeing
24 suspect?

25 MR. HAMMER: Objection to form.

1 A Anybody from the troopers, from witnesses?
2 Is that what you're asking?

3 Q Either troopers or witnesses. Did anybody
4 identify him as the driver of the vehicle?

5 MR. HAMMER: Objection to form.

6 A Not to me, but if -- yeah. I was on there
7 after the fact. All I saw was somebody handcuffed
8 being escorted out, but I don't know if -- they
9 didn't tell me specifically, "Hey, we identified
10 him. This is him," not verbatim.

11 Q Well, did the passengers of the vehicle --
12 they were standing right there when Ontario
13 Logan-Patterson was brought to the car. Did they
14 say, "Oh, yeah, that's the guy," or did they say,
15 "That's not the guy"?

16 MR. HAMMER: Objection to form.

17 A I don't recall if they said anything or
18 what they said.

19 Q Did you ask them?

20 A I personally did not.

21 Q Did anybody else?

22 A I don't know.

23 MR. HAMMER: Objection to form.

24 Q You understood that Wyatt was in hot
25 pursuit of the fleeing suspect, correct?

1 A Yes.

2 Q And that Wyatt says that the individual
3 entered an apartment?

4 A I don't remember the part about entering
5 an apartment.

6 Q Okay. You understood that the car was
7 stolen. It was determined to be stolen?

8 A Yes. On the scene, I advised Trooper
9 Morris to run the VIN to verify because knowing
10 from my training and experience, the events get
11 altered. And I advised him, "Hey, run the VIN,"
12 and I believe it did come back stolen.

13 Q Yeah. It was stolen on September 30th,
14 2023. Do you know if Wyatt did any type of
15 investigation to see if Ontario Logan-Patterson
16 could have been involved with that theft?

17 MR. HAMMER: Objection to form.

18 A I don't know.

19 Q You didn't do any type of investigation as
20 to who stole the vehicle, correct?

21 A I did not.

22 Q That would all have been on the shoulders
23 of the newer officer, Wyatt, to do, correct?

24 A Not exactly. On scene, like I said, we
25 delegate. Everybody does something to help out on

1 the scene. And I told Morris, Robert Morris, to
2 run the VIN to make sure -- because the tags
3 wasn't coming back, I believe -- run the VIN,
4 which came back stolen. So he was handling that
5 part, towing the vehicle. And I was just part of
6 that.

7 Q Did you -- when did you learn that Ontario
8 Logan-Patterson was arrested by Trooper Wyatt for
9 fleeing him -- allegedly fleeing him in a stolen
10 car?

11 MR. HAMMER: Objection to form.

12 Q When did you learn that?

13 A This meeting is the first time I'm hearing
14 his name. I don't remember being told that he was
15 arrested. I know he wasn't arrested the day of.

16 Q Because you and the other troopers
17 encouraged him to release him?

18 MR. HAMMER: Objection.

19 Q You encouraged Wyatt to release him,
20 correct?

21 MR. HAMMER: Objection to form.

22 A I don't remember encouraging him to
23 release him.

24 Q Did you -- did you gather with the other
25 troopers and suggest that he be released?

1 MR. HAMMER: Objection to form.

2 A I don't recall that. All I recall is
3 giving advice, saying we can send the things to
4 the lab.

5 Q "I said that you already have the hoodie
6 and you can send that along with the gun to the
7 lab to see if any matches come back. Trooper
8 Wyatt immediately said, 'Oh, okay,' and let go of
9 the subject."

10 Is that the events?

11 A Yes.

12 Q All right. Did you know that there was
13 Ring camera video that showed the fleeing suspect
14 in the same frame or close in the same frame as
15 Mr. Ontario Logan-Patterson and his mom?

16 MR. HAMMER: Objection to form.

17 A I did not know of any cameras or any of
18 that.

19 Q Did you do any type of investigation to
20 see if there were any cameras?

21 A I personally did not.

22 Q Why not?

23 A I was there to assist with whatever was
24 asked of me.

25 Q All right. But I'm asking all of you the

1 same questions, and none of you are saying that
2 you did any type of investigation, for instance,
3 to look for the Ring cameras to take latent
4 fingerprints. Who did you understand was going to
5 do this investigation if you were not?

6 MR. HAMMER: Objection to form.

7 A I don't know.

8 Q Did you know that my client sat in a
9 detention center for over 30 days and then had an
10 ankle monitor at home, couldn't go to school
11 because he was arrested by Wyatt at the same time
12 there was Ring camera video affirmatively showing
13 that he was not the driver?

14 MR. HAMMER: Objection to form.

15 A I did not know that.

16 Q Did you know that Ontario
17 Logan-Patterson's phone shows that he was never in
18 a vehicle driving around town, the very charges
19 for which he was arrested by Wyatt?

20 MR. HAMMER: Objection to form.

21 A I did not know that.

22 Q Did you guys take into possession
23 Wyatt's -- I mean, Ontario Logan-Patterson's phone
24 to check that?

25 A I did not. I'm not sure if another

1 trooper took it or if Wyatt did.

2 Q They did not.

3 Did you know that Ontario had no prior
4 criminal history?

5 A I did not know.

6 Q Did you know that he had -- did you know
7 where he had lived at any point prior to living
8 one block away from where this crash occurred?

9 A I did not.

10 Q Did you know that Fairfield Court is a
11 high-crime area?

12 MR. HAMMER: Objection to form.

13 A Did I know Fairfield Court is what?

14 Q A high-crime area.

15 A I worked the area, not necessarily just
16 Fairfield being high crime.

17 Q All right. But you understand Fairfield
18 Court to be among the highest crime areas in the
19 city?

20 A Not statistically, but I know there's a
21 lot of crime around this area, yes.

22 Q Okay. And did you know that that's where
23 Ontario grew up and had no prior criminal history
24 whatsoever?

25 MR. HAMMER: Objection to form.

1 A I didn't know that.

2 Q Did anybody run Ontario's criminal history
3 that evening?

4 MR. HAMMER: Objection to form.

5 A I did not run the criminal history myself.

6 Q All right. Ontario was questioned while
7 in handcuffs in the back of the car by Wyatt,
8 custodial interrogation. He was not read Miranda.
9 Is that typical practice for the Virginia State
10 Police to do a custodial interrogation and not
11 provide Miranda?

12 MR. HAMMER: Objection to form.

13 A I don't know if it's protocol, but I don't
14 remember him being in the back of a police car.

15 Q I'm sorry. Front seat of the car and
16 questioned by -- do you remember Wyatt sitting in
17 the car with him and questioning him? Do you
18 remember that?

19 A I remember Wyatt being outside of the
20 vehicle with him. I don't remember Wyatt being
21 inside the car at any point.

22 Q He was, and he questioned him. So getting
23 back to my question to you: Did you know at the
24 time that when you're conducting a custodial
25 interrogation, it requires Miranda Warnings?

1 MR. HAMMER: Objection to form.

2 A I did not.

3 Q Ontario was only 17 at the time. Why was
4 he questioned without his mother present?

5 MR. HAMMER: Objection to form.

6 A I don't know.

7 Q So no -- and you can't tell me why no
8 fingerprints were ever taken of the car, the car
9 that -- the Dodge Charger that was fleeing Wyatt?

10 A Typically with what I do now, the only
11 time our forensics would come out is if it's a
12 shooting or homicide. That's when forensics --
13 the forensics agents would come out and do a
14 forensic scene and all that. Normally on a --
15 with a stolen vehicle or pursuit, I personally
16 have never taken any prints off of a vehicle.

17 Q Well, my client was, like I said, detained
18 in an ankle monitor for over 40 days because he
19 was charged with this circumstance even though the
20 video shows the fleeing suspect coming back to the
21 car, opening the trunk, and closing the trunk, not
22 wearing gloves at the time. Wouldn't you expect
23 there to be latent fingerprints on the car?

24 MR. HAMMER: Objection to form.

25 A I didn't know that happened, but if he

1 touched, then probably.

2 Q So do you have any explanation why nobody
3 bothered to take those fingerprints?

4 MR. HAMMER: Objection to form.

5 A My explanation would be that we don't -- I
6 don't think -- I wasn't aware personally of what
7 you just told me happened, that somebody ran back
8 to the vehicle and touched the trunk.

9 Q It was seen by Wyatt. He testified as to
10 it.

11 A I didn't know that.

12 Q Wyatt never told you that, right?

13 A No.

14 Q Were you operating under the assumption
15 that the crash that occurred at Maury and Commerce
16 was an accidental crash?

17 A What do you mean "accidental crash"?

18 Q As opposed to being intentional. Your
19 understanding was that the fleeing driver in the
20 Dodge Charger was going at high speeds, was trying
21 to avoid Wyatt, got into an accident, and fled
22 from the scene, correct?

23 A That's my understanding.

24 Q And so it was just by coincidence that the
25 person taken into custody by Wyatt lived within a

1 block of that crash?

2 MR. HAMMER: Objection to form.

3 A I don't know.

4 Q Well, did you know that that's where
5 Ontario Logan-Patterson lives? He lives one block
6 away from that crash?

7 MR. HAMMER: Same objection.

8 A I didn't know that's where he lives.

9 Q Did you know that him and his mom
10 initially came out because they heard the crash,
11 and when they saw the fleeing suspect, they went
12 into the apartment and closed the apartment?

13 MR. HAMMER: Objection to form.

14 A I did not know that.

15 Q You put into your report: Trooper and
16 myself, along with the other officers -- others on
17 scene were very professional with all involved and
18 no altercation took place. You opted to include
19 that in your report because you knew that there
20 was a complaint against Wyatt by a member of the
21 public, correct?

22 MR. HAMMER: Objection to form.

23 Q Correct?

24 A I believe that was after the --

25 MR. HAMMER: Objection.

1 A -- go ahead.

2 MR. HAMMER: You can answer. Same
3 objection.

4 A I believe -- like I said, this report was
5 ran after the investigation, and based on the type
6 of question that was being asked, I guess that's
7 my answer to what was in the interview.

8 Q All right. Going back to your report, and
9 I can bring it up here. This is Exhibit Number
10 13. Let me close this out. All right. So you
11 state here that -- you're able to see the document
12 I have in front of you?

13 A I am, yeah.

14 Q Okay. It says, "Per my training and
15 experience, I unholstered my gun and kept it
16 pointing down as I saw the K-9 trooper, Layton,
17 staged there as well."

18 A Yes.

19 Q So at the same time that you have
20 un-holstered your gun, Layton is in close
21 proximity to you, correct?

22 A Yes.

23 Q All right. So just as comparison here is
24 Layton's -- so you're saying that you have your
25 gun unholstered and you're in close proximity to

1 Layton, correct?

2 A Not staying next to him, but in close
3 proximity, yes.

4 Q Okay. All right.

5 And then if we go to Layton's report,
6 Exhibit 14 -- oh, this is the one. Sorry. I
7 don't have that page. Oh, here. I'm sorry.
8 There's a report -- one that was originally
9 produced. Let's see if this one has it. Just one
10 second. All right. I'm trying to find a
11 document, but it wasn't among the documents. I'll
12 stop that inquiry. Let me show you -- well,
13 further on in your report -- again, back to
14 Exhibit 13 -- it said, "A few seconds later I
15 observed from afar as two troopers, possibly
16 Trooper Wyatt and another unknown trooper, were
17 escorting a male out of the apartment front porch
18 towards the crash scene. I believe that" -- I'm
19 trying to find -- just bear with me for a second.
20 Do you know the apartment that Mr. Logan-Patterson
21 lived in with his mother?

22 A I do not. I know the one that we were
23 standing outside of -- in front of was the first
24 one in that building.

25 Q All right. But you don't know what the

1 number of it was?

2 A I do not.

3 Q Okay. It says on your report, "As Trooper
4 Wyatt was asking for advice," what advice was he
5 seeking from you and Trooper Layton?

6 MR. HAMMER: Objection to form.

7 A As, like: What's next or what should be
8 done? what else can I do? And then --

9 Q And what did you say to him in response to
10 "What else can I do"?

11 A That's when I referred to Layton as -- he
12 came from a background interdiction, and we asked
13 him, and Layton suggested to take buccal swabs and
14 then we can take things to the lab for matches.

15 Q Okay. On next page, you talk about
16 "Trooper Wyatt took possession of the hoodie as he
17 remembered the person he was chasing was wearing a
18 similar hoodie."

19 What did he say about the hoodie? Did he
20 say anything to you? Did he say, "This is the
21 same hoodie. This is similar"? What was his
22 statement when he took possession of the hoodie?

23 A I don't remember verbatim. That's kind of
24 the gist of what was said that the person he --
25 was wearing.

1 Q All right. When you state over here, "The
2 mom and the two other females and the male showed
3 up on the scene and stated that their son was not
4 one of the" -- "not the one in the car and that
5 y'all have the wrong person," so did you ask the
6 passengers, the three passengers, if they had the
7 right person or the wrong person?

8 A I personally did not.

9 Q Well, we just -- I just took the
10 deposition of Trooper Robert Morris, and he said
11 that the passenger said that he had -- the subject
12 had a similar build; however, his facial
13 characteristics were incorrect and is basically
14 not the same person.

15 MR. HAMMER: Object to form.

16 Q Are you just learning now that the
17 passengers said that the person taken into custody
18 was not the same person as the driver?

19 MR. HAMMER: Objection to form.

20 A I don't remember --

21 Q Are you learning that -- are you learning
22 that for the first time now, Trooper Hana?

23 MR. HAMMER: Same objection.

24 A I don't remember them saying that. If
25 they did, I don't recall that at all.

1 Q But are you also saying you never recalled
2 asking them that question?

3 A Not that specific question. I do recall
4 asking them who the driver was, or at least one of
5 them who the driver was, and that's when they told
6 me they didn't know him except from a car club.

7 Q But you -- I'm going to Exhibit Number
8 33K. All right. So this is a photo of the three
9 individuals that were passengers in the car --
10 correct? -- on the top?

11 (Whereupon, Exhibit 33K, previously
12 marked, was proffered to the witness.)

13 MR. HAMMER: Objection to form.

14 A I couldn't be for sure.

15 Q So you don't even recognize those three
16 individuals that are shown in the photo?

17 A I don't.

18 Q All right. And the picture below, is that
19 the individual that was taken into custody by
20 Wyatt?

21 A I don't remember what he looks like.

22 Q All right. And so even though you
23 questioned the three individuals or at least one
24 of the three individuals, even though Ontario
25 Logan-Patterson was taken into custody and brought

1 right past the three individuals, you never asked
2 any of them if the guy that is being taken into
3 custody is, in fact, the driver of the car?

4 A I did not because I was not the one that
5 brought the person back.

6 Q All right. But you're standing there when
7 that occurred, right?

8 A When they were walking the person back, I
9 saw them at a distance. I then came to the scene
10 where everybody was there, yes.

11 Q All right. But you're interviewing these
12 three passengers and you know that Logan-Patterson
13 or a person is in custody sitting in the car right
14 next to these three passengers, right?

15 A I don't know how close they were to the
16 car, but I do know that he was detained at that
17 time, yes.

18 Q Well, this photo, 33K, is taken from the
19 dash-mounted camera that is in the same car that
20 Ontario Logan-Patterson was sitting in. These
21 three individuals are being questioned just feet
22 away from where Logan-Patterson was being kept in
23 the car, correct?

24 A If that's the front camera, then, yes.

25 Q All right. And you never bothered to say

1 to any of these three individuals, "Hey, does that
2 guy -- was that the driver of the vehicle?" You
3 never got around to asking that question, correct?

4 MR. HAMMER: Objection to form.

5 A I don't know if I did.

6 Q Well, if you did, you would have noted it
7 in your report, correct?

8 A Correct.

9 MR. HAMMER: Objection to form.

10 Q And you don't note it in your report, do
11 you?

12 A In the other report that you had up, I
13 don't --

14 Q Yeah.

15 A -- believe that's in there, no, sir.

16 MR. KRUDYS: I have no further questions
17 for the witness. I appreciate your time and
18 attention.

19 THE WITNESS: Yes, sir.

20 MR. HAMMER: Mark, give us just a moment.

21 THE WITNESS: Do I sign out or

22 MR. HAMMER: No, not yet. Not yet. We
23 may have a couple of questions for you. In fact,
24 I think we do.

25 MR. KRUDYS: Let's ask the questions. Go

1 ahead.

2 MR. HAMMER: We'll ask the questions when
3 we're ready. Thank you.

4 EXAMINATION

5 BY MR. HAMMER:

6 Q Trooper Hana, where were you when you
7 unholstered your firearm?

8 A In the front of the building, not on
9 Commerce and Maury. That would be, I guess, 9th
10 Street, in the front of the house.

11 Q Okay. And who, if anyone -- who was
12 around you at that time?

13 A The only one I remember would be Trooper
14 Layton with the K-9.

15 Q Okay. And do you have any memory of how
16 far away from you he was?

17 A Not exact, but close.

18 Q Was he right up on you, or was he a
19 little --

20 A A little further out is typical. I
21 wouldn't be right on the K-9 dog.

22 Q Okay. And is it possible, given what was
23 going on at the time, that Trooper Layton didn't
24 see you with your gun unholstered and --

25 MR. KRUDYS: Objection.

1 Q -- pointed down, as you testified?

2 MR. KRUDYS: Objection as to form,
3 foundation.

4 Q You can answer.

5 A I'm not sure. I may -- I mean, I can't
6 recall 100 percent, but I may have reholstered
7 when he was talking to me. I don't know exactly
8 if he would see or did not see me.

9 Q Okay.

10 MR. HAMMER: No further questions.

11 FURTHER EXAMINATION

12 BY MR. KRUDYS:

13 Q I've got some follow-up in connection with
14 that. So let's go back to your report, which is
15 Exhibit 13. So -- all right. Do you see where my
16 cursor is? "Per my training and experience, I
17 unholstered by gun."

18 What do you mean by "Per my training and
19 experience I unholstered my gun and kept it
20 pointed down"?

21 A So kept it pointing down as in sul
22 position where it's like so, pointed down.
23 Usually with any -- since I've been a trooper with
24 any K-9 track -- if I see a K-9, we're obviously
25 going on a track -- there would be one person, if

1 we're going through the woods, or whatever -- one
2 trooper, one unit, with a gun down and then
3 following wherever the K-9 is.

4 Q Okay. So did you, in fact, do that? Did
5 you follow the K-9 where it went with your weapon
6 unholstered?

7 A No. I don't think there's -- I don't
8 remember a track even happening from where I was.
9 I stayed up front in the front of the building.

10 Q You said in response to your question from
11 the other lawyer where you were and you said you
12 were close to Trooper Layton, correct?

13 A Correct.

14 Q All right. And it says, "Per my training
15 and experience, I unholstered my gun and kept it
16 pointing down as I saw the K-9 trooper (Layton,
17 Badge 1349) staged there as well."

18 What did you mean by "he's staged there as
19 well"?

20 A When I got on scene -- if I recall
21 correctly that Layton was already there in the
22 same street, in the front -- he was outside, or
23 his vehicle was there, and then I parked my
24 vehicle a little behind and then got out of my
25 vehicle. That's when I unholstered my gun and

1 pointed it down. I don't know how long I kept it
2 out or if I reholstered then within seconds. I
3 don't remember that.

4 Q It doesn't say that you reholstered it
5 seconds, does it?

6 MR. HAMMER: Objection to form.

7 A No. It doesn't.

8 Q And, indeed, you go out of your way to
9 say, "I do not remember seeing any other troopers
10 with their guns drawn," correct?

11 A Correct.

12 MR. HAMMER: Objection to form.

13 Q Right?

14 A Correct.

15 Q Right. So you talk about it being
16 unholstered. You note that no persons had their
17 guns drawn at the time. You don't mention
18 reholstering your weapon, do you?

19 MR. HAMMER: Objection to form.

20 A Not on the report, no.

21 Q And then if we go to Exhibit Number 39 --
22 all right. This is the report of Trooper Layton,
23 State Trooper Layton. And when he says "No
24 firearms were ever removed from anybody's
25 holster," that's incorrect, correct?

1 MR. HAMMER: Objection to form.

2 A I don't know what he saw.

3 Q I asked you the question of not what he
4 saw but the statement "No firearms were ever
5 removed from anybody's holster." That's
6 incorrect, correct?

7 A Correct.

8 MR. HAMMER: Objection to form.

9 A Mine was unholstered.

10 Q Yours were unholstered. And he's not
11 saying, "I did not see anybody un-holster their
12 firearm." He's affirmatively saying no firearms
13 were ever removed from anybody's holster, correct?

14 MR. HAMMER: Objection to form.

15 A That's how I'm reading it, yes.

16 MR. KRUDYS: Thank you for your time and
17 attention, sir.

18 THE WITNESS: Yes, sir.

19 MR. HAMMER: We'll have him read and sign.

20 (Off the record at 4:14 p.m.)

21 MR. KRUDYS: We'll order standard.

22 THE REPORTER: Mr. Hammer, did you need
23 copies of the transcripts for both?

24 MR. HAMMER: Yes, for both. Thank you.

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ERRATA SHEET

**Please make any changes/corrections on
this sheet. Please do not write in the
deposition.**

PAGE NO./LINE NO.

EXPLANATION

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ACKNOWLEDGMENT OF DEPONENT

I, MIKEL HANA, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the attached Errata sheet signed by me.

(DATE)

(SIGNATURE)

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2 I, Megan Kurwitz, the officer before whom
3 the foregoing deposition was taken, do hereby
4 certify that the foregoing transcript is a true
5 and correct record of the testimony given; that
6 said testimony was taken by me stenographically
7 and thereafter reduced to typewriting under my
8 direction; that reading and signing was
9 requested; and that I am neither counsel for,
10 related to, nor employed by any of the parties to
11 this case and have no interest, financial or
12 otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 and affixed my notarial seal this 9th day of May,
15 2025.

16 *Megan Kurwitz*
17 _____

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